

REGULAR COUNCIL MEETING MINUTES - MONDAY, MAY 15, 2000 - PAGE 1

Present: President Craig; President Pro-Tem Kennedy; Members: Downey, Munguia, Pfeifer, Stearn and Walsh

Absent: None

Also Present: Village Manager, Hanlin
Public Services Director, Spallasso
Assistant to the Manager, Pasioka
Village Clerk, Marshall
Village Attorney, Ryan
Director of Public Safety, Woodard

Craig called the meeting to order at 8:07 p.m. in the second floor conference room of the public safety building at 18600 W. Thirteen Mile Road. The Council meeting is being held in the public safety building due to a power outage in this area of the Village caused by a fallen power line on 13 Mile Road.

APPROVE MINUTES OF REGULAR COUNCIL MEETING HELD ON MAY 1, 2000

The following corrections were made to the minutes. On page 7, third paragraph from the bottom of the page, line 1, correct the first "the" in the sentence to read "that". On page 20 under "Approval of Bills", correct the Major Road Fund amount to read "\$4,879.09".

On page 13, last paragraph, second sentence, change "\$2.4 million" to "\$850,000". Change the third sentence to read, "Funds will be used to improve water mains".

MOTION by Pfeifer, supported by Downey, that the minutes of a Regular Council meeting held on Monday, May 1, 2000 be approved as amended.

Motion passes unanimously.

PUBLIC HEARING AND POSSIBLE APPROVAL OF CABLE TELEVISION FRANCHISE AGREEMENT WITH MEDIAONE

Pfeifer stated that the proposed franchise renewal agreement is a result of over three years of hard work on the part of the Cablecasting Board. She invited Don Gillis, attorney for the Cablecasting Board, to outline the franchise renewal agreement and entertain questions from Council and the audience.

Don Gillis stated that he will summarize the main features of the proposed renewal agreement and respond to questions with the assistance of Cablecasting Board members and a representative from MediaOne. Gillis indicated that the principal features of the franchise renewal agreements include the extensive upgrade of the Company's cable system, provisions relating to the Company's support of public, educational, and governmental access (PEG), provisions regarding the impact on the Company's obligations in the event a competitor appears on the scene, and provisions strengthening the ability of the board and member communities to enforce the agreements.

System Upgrade - With regard to the system upgrade, Section 2.8 and Exhibit A provide an abbreviated summary of the upgrade to a 750 MHZ system, which offers far greater capacity for programming and other services. In addition, certain sections of the ordinance may require the Company to further upgrade in order to implement technological advances throughout the term of the franchise.

Franchise Fees and PEG Support Fees - Section 7.1 of the Agreement requires that the Company pay 5% of its gross revenues as defined in the ordinance for a franchise fee. This 5% of gross revenues may be used for whatever purpose the Village may deem appropriate. The Company is also obligated under Section 5.2 to pay an additional 3% of its gross revenues in support of public, educational and governmental access programming. In addition to that, Section 5.3 requires the Company to furnish further support for PEG in the form of a \$400,000 grant and the conveyance of the Company's 1992 mobile van and the van's existing equipment. Section 5.4 makes it clear that the PEG grants specified in Section 5.3 are not for each of the Board's individual communities but are to be used for the benefit of all four member communities.

Gillis informed Council that he received a check in the mail today in the amount of \$400,000 made payable to the Cablecasting Board. The company offered that money now even though all four communities have not acted on the franchise renewal agreements. The money will be placed in an interest bearing account until the member communities decide how to apply this money towards PEG operations. The Cablecasting Board will prepare a plan and make a recommendation for the use of the grant to be approved by the member communities.

The Company will convey title to the MediaOne van to the board or to one of the member communities. The board is looking into the question of liability insurance on that vehicle. Consideration is being given to requesting that one of the municipalities include the van under its liability insurance policy in which case the board may recommend that the title be conveyed to that community rather than the board.

Gillis affirmed that, in his experience and in the experience of others, this total of 8% of gross revenue for franchise fees and PEG access support fees plus the \$400,000 grant are far in excess of what other communities of these sizes have obtained from the cable provider. It is for these reasons plus the upgrade that the board saw fit to recommend to all four member communities that they approve this agreement.

Cable Competitor - Gillis stated that Part 14 of the franchise agreement and Exhibit F contain detailed provisions that apply in the event a competitor is awarded a franchise by the communities in this consortium. If a competitor is awarded a franchise with less onerous obligations than those imposed on the Company under this agreement, adjustments will be made particularly in the 3% of gross revenues area plus the \$400,000 grant. Gillis stated that the company was willing to provide this revenue on the assumption that a competitor is either not awarded a franchise or, if awarded a franchise, is subject to the same obligation. If the competing franchisee obtains a franchise with less than those obligations, there are provisions for reimbursement of a portion of those payments and a

reduction of the 3% fee to whatever the competitor is required to pay. The amount and terms of the reimbursement are fairly complicated.

Special Provisions for Governmental and Educational Facilities - There are special provisions other than the PEG support provisions for government and educational facilities. Various sections of the agreement confer special benefits to those entities. Section 2.13 deals with free basic services for municipal and public and private K-12 school facilities in the Birmingham School District; Section 2.14 and Exhibit C address signal input points to various locations in the board's member communities; and Section 2.2 and Exhibit G deal with an institutional network for the City of Birmingham.

Transfer Provisions - Part 10 of the proposed renewal agreement addresses transfers. It provides that, in the event that MediaOne seeks to transfer this franchise or control is transferred to another entity through a sale, merger or consolidation or other device, the member communities of the board have a right to approve that transfer and cannot withhold their approval unreasonably. Those transfers cannot take place without the consent of the communities. It is a requirement of this agreement that all the costs related to considering a transfer request must be reimbursed by the company seeking the transfer.

Customer Service - Part 4 of the agreement deals with customer service and consumer protection matters. The member communities adopted an ordinance some time ago dealing with consumer protection and customer service. Gillis noted the important points in the redraft of Part 4. Section 4.1 requires the Company to comply with the most stringent customer service requirements of Part 4 of the franchise agreement or the consumer protection ordinance adopted by the municipalities, or customer service practices or policies of the company or those imposed by the FCC.

Default - Part 11 of the agreement deals with defaults. In cases of default, the Company is given the right to notice and the opportunity to cure the same. In order to prevent the Company from committing numerous defaults without suffering a sanction, Section 11.2.1 provides for liquidated damages that can be imposed in the event of a default by the Company.

Gillis said that his summary is an abbreviated account of the document. The board has recommended its approval. The City of Birmingham and the Village of Bingham Farms have approved both the ordinance and the franchise agreement. The Village of Franklin will consider adoption of the franchise renewal documents in June.

The Cablecasting Board recommends adoption of the franchise renewal agreement because it believes that the communities' approval of this document represents a good agreement that is in the best interests of the Village officials, the legislative body, and the subscribers and users of the system.

Gillis recognized the Beverly Hills representatives of the Cablecasting Board in the audience, Brian Janks and Bob Borgon. Chairperson of the Board Lex Kuhne is present as well as Mike DiMaria representing MediaOne.

Pfeifer asked questions on various ordinance provisions and MediaOne issues, which were answered by Gillis and DiMaria for the benefit of everyone in the audience.

Craig opened the public hearing at 8:52 p.m. on the proposed cable television franchise renewal agreement with MediaOne.

Steve Weed, resident of Roseville, stated that he is an access user at the MediaOne Southfield facility. He is representing a group called, "Friends of Good Access", which is affiliated with the Alliance for Community Media, a national organization that encourages community access information.

Weed referred to Section 5.6 of the franchise agreement, which says that, as long as the Company operates a public access studio that is located not farther than 10 miles from a city hall, the municipality's residents shall be provided access to and use of the facility. Weed noted that the Southfield location is closer to the three smaller consortium communities than the Bloomfield Community TV studio. He informed Council that the support staff at the Southfield studio was cut from three to one in April. His group will be working to try to improve conditions at the Southfield studio and is attempting to interest residents in this consortium to make use of that facility. It may serve the interests of this consortium to build up the use of the Southfield facility.

Questions relative to Exhibit D, Exhibit E, signal quality, and channel use were addressed by Gillis, Janks, and DiMaria.

Craig understands that the Southfield studio's manpower has been reduced and Weed is suggesting that the use of that studio by the Birmingham area consortium communities may lead to improvements at that facility. Craig commented that there is nothing preventing MediaOne from selling the rights to the Southfield studio at some point. This consortium is in the process of establishing a long term PEG access operation. Pfeifer added that she views this as more of a Cablecasting Board issue.

Lex Kuhne, acting chairperson of the Cablecasting Board and resident of Birmingham, explained that cable companies are no longer providing public access service as part of the franchise. During the franchise renewal process, the Cablecasting Board conducted surveys throughout the franchise area. It learned that public access was under utilized either because people did not want to do it or because it was not accessible, depending on the point of view. A small part of the population uses public access, but it is an important issue for those who do use it. The board looked at the new franchise as an opportunity to reinvent public access for the four communities.

Realizing that the Eaton Road facility would be closed, a provision was included in the franchise agreement allowing community members to use the Company's Southfield studio for public access production for the next six months while the communities are developing a plan for their PEG operation.

Sharon Tischler of 21415 Virmar Court commented that the community has experienced poor cable service and that the new digital system is not available in some areas of the Village.

DiMaria stated that the system is rebuilt in the consortium and all but 250 homes have digital cable available. MediaOne is working on certifying the last node.

I. Jack Fahlen of 30295 Marimoor questioned the specific areas in the Village where digital service is not yet available. DiMaria commented that he could provide those geographic boundaries in writing.

Gillis commented that the previous and the proposed franchises are non-exclusive and competition is allowed. The current cable provider has the presumption of right of renewal under federal law.

Cablecasting Board member from Beverly Hills Bob Borgon stated that he has a problem with the clause in the franchise renewal document requiring the consortium to refund money to MediaOne if competition is allowed to offer service to the communities. He voted against the franchise renewal agreement.

No one else wished to be heard; therefore, the public hearing was closed at 9:20 p.m. Questions from Council members were addressed by Cablecasting Board members and DiMaria. Council thanked the members of the Cablecasting Board for their hard work on the franchise renewal process. It was noted that the Franchise Renewal Agreement is available for public review at the Village offices.

RESOLVED by Pfeifer, supported by Kennedy.

THIS FRANCHISE made and entered into as of May 15, 2000 by and between the VILLAGE OF BEVERLY HILLS, a municipal corporation duly organized under the laws of the State of Michigan (hereinafter called "Municipality") and MEDIAONE OF MICHIGAN, INC., a Delaware corporation (hereinafter called "Company") with its principal place of business at 14909 Beck Road, Plymouth, Michigan, 48170.

WHEREAS, the Company is the successor by merger to Booth Communications of Birmingham and currently provides service in the Municipality under a franchise dated March 8, 1982, and

WHEREAS, the Company wishes to continue to provide cable service in the Municipality and has requested a cable franchise in order to do same, and

WHEREAS, the Municipality is authorized to grant one or more non-exclusive franchises for the provision of cable service within the Municipality by means of a cable system, and

WHEREAS, the Municipality has reviewed the Company's request and has considered the terms and conditions of the Municipality's current cable franchise with the Company, existing fees, the development of new services, the state of technology and other factors as are appropriate, and

WHEREAS, after public hearing, the Municipality has determined that granting of a renewed franchise on the terms set forth herein is in the public interest and in the interest of the Municipality and its residents and will assist in meeting the cable related needs of the community,

NOW, THEREFORE, BE IT RESOLVED that the Village Council award the cable franchise to MediaOne for a term of 15 years subject to all of the terms and conditions described in the Village Ordinance and the Franchise Agreement with Exhibits and side letters. This Franchise Renewal Agreement will be effective on the effective date of Ordinance 298, Chapter 4 of the Municipal Code, which is the Cable Communications Ordinance for the Village of Beverly Hills.

Roll Call Vote:

Resolution passes unanimously.

Ryan stated that the communities have been well served during these last several years by Don Gillis as its legal counsel. Kuhne also acknowledged the hard work of Don Gillis and chairperson Steve Hall. He recognized the efforts of Brian Janks and Robert Borgon from this community. Kuhne commented that Mr. Buterbaugh has added much to board meetings over the years and Ms. Pfeifer is a welcome addition to the group.

CONSIDER REQUEST FROM KIWANIS CLUB TO CONDUCT A FUND RAISER BARBEQUE AND SUMMER PICNIC IN CONJUNCTION WITH THE AUGUST 27, 2000 CONCERT IN THE PARK

Stearn commented that the Kiwanis Club is requesting permission to conduct a fund raiser in Beverly Park on Sunday, August 27, 2000 in conjunction with the afternoon summer park concert. This was discussed by the Parks and Recreation Board members who voted unanimously to support the Kiwanis Club event with several conditions.

RESOLVED by Stearn, supported by Kennedy, that Council approve the request from the Birmingham Kiwanis Community Club to conduct a fund-raising barbeque in Beverly Park in conjunction with the August 27, 2000 concert in the park with the following conditions:

1. That the Kiwanis Club make a financial donation to Beverly Park;
2. That there be no food served during the concert;
3. That the Kiwanis make special tent arrangements (with the approval of administration for specific location) to properly dispense food;
4. That there be very limited or no provisions to use the shelter of the pavilion due to the first priority of the concert;
5. That there be no admission charged;
6. That food tickets be sold; and
7. That the Kiwanis obtain appropriate insurance coverage naming the Village as additional insured.

Roll Call Vote:

Resolution passes unanimously.

APPROVE PRELIMINARY ENGINEERING/TOPOGRAPHICAL SURVEY FOR ROAD IMPROVEMENTS TO STAFFORD

Walsh reviewed that this item was tabled by Council on April 3, 2000 in order to acquire a current petition from the residents along Stafford Road. A new petition has been submitted dated April 14, 2000. Twelve of the 17 homeowners on Stafford signed a petition to proceed with obtaining a cost estimate for asphalt paving of the gravel road. An engineering and topographical survey is needed to develop a preliminary estimate for the construction cost to pave Stafford Road with asphalt.

RESOLVED by Walsh, supported by Kennedy, to approve the preliminary engineering/topographical survey for Stafford Road by Hubbell, Roth & Clark in an amount not to exceed \$4,000.

Spallasso explained that the cost of the preliminary engineering/topographical survey will be recovered through the Special Assessment District if the project moves forward. In the event that the project does not occur at this time, the study will be used in the future for any type of maintenance and/or improvements of the road.

Council discussed whether to proceed with the survey. The wording of the petition was questioned. There were members of Council who would like to see a higher level of commitment from the people who signed the petition before money is spent on this survey.

Spallasso informed Council that property owners in the area of 13 Mile and Evergreen Road have submitted a petition with the same wording. He remarked that an accurate estimate cannot be prepared without sufficient engineering/topographical information.

Roll Call Vote:

Kennedy - yes
Munguia - yes
Pfeifer - yes
Stearn - yes
Walsh - yes
Craig - no
Downey - no

Resolution passes (5 - 2).

RESOLUTION REGARDING GEORGE W. KUHN DRAINAGE DISTRICT

The Village of Beverly Hills is one of the 14 member communities of the George W. Kuhn Drain District involved in a major capital improvement to the Twelve Towns Retention Treatment Facility for the George W. Kuhn Drain. Walsh explained that the Oakland County Parks and Recreation Department built certain facilities over an easement created for drain pipes. There is now an intra-county drain project to enlarge, improve, supplement and relieve the existing Southeastern Oakland County Sewage Disposal System and the existing Twelve Towns Relief Drains. The County of

Oakland is attempting to burden the communities of the drainage district with the cost of restoring the County water park and privately owned and operated Sports Village, which is contrary to the Easement and Lease Agreements that permit these recreational facilities to exist above the retention treatment facility.

In his May 11, 2000 memo to Council, Spallasso stated that the route of the proposed new pipe should be within the existing easements where possible. If additional land is necessary to accomplish the most direct route, easements should be obtained rather than pursuing land acquisition. He maintains that the George W. Kuhn Drain District member communities should not be responsible for the replacement of existing facilities within the Red Oaks Golf Course, Sports Village and Wave Pool. Spallasso commented that the George W. Kuhn Drain District Advisory Committee has unanimously agreed on this position.

Hanlin related that, at a SOCRRA meeting last week, John McCulloch, Chairman of the Oakland County Board of Commissioners, indicated that he has persuaded the County Parks and Recreation Department to pay for the entire restoration of the facilities over the drain.

Ryan commented that the Advisory Committee has done great work overseeing this project, and he recommends adopting the proposed resolution that mirrors resolutions passed by other member communities.

RESOLVED by Walsh, supported by Kennedy, as follows:

- 1) That the demands made by Corporation Counsel on behalf of the County of Oakland are hereby rejected.
- 2) The Village of Beverly Hills Council request that the George W. Kuhn Drain Board reject the position of the Corporation Counsel as set forth in the January 3, 2000 letter.
- 3) The Beverly Hills Village Council requests that the County of Oakland immediately without further cost transfer all of its property rights in and about the Twelve Towns Retention Facility to the George W. Kuhn Drain District in a timely manner so as to permit all aspects of this project as scheduled.
- 4) The Beverly Hills Village Council demands that the 14 member communities of the George W. Kuhn Drain District be required to pay for only a direct route and any costs attributable for the indirect route to avoid the parks and recreation facilities including, but not limited to, construction costs, land acquisition costs, infrastructure costs, easement acquisition, and engineering costs be assessed to the responsible parties.
- 5) The Beverly Hills Village Council directs the administration to forward a copy of the Resolution to the George W. Kuhn Drain Board, the Oakland County Drain

Commission, the Oakland County Board of Commissioners, the Oakland County Executive and all member communities of the George W. Kuhn Drain District.

Questions from Council were addressed by Spallasso and Ryan.

Roll Call Vote:
Resolution passes unanimously.

A copy of the entire resolution is on file at the Village offices for public review.

APPROVE PURCHASE OF FLOORING FOR DISPATCH AREA AT PUBLIC SAFETY BUILDING

Downey referred to a memo dated May 20, 2000 from Director Woodard requesting that Council approve the purchase of materials and labor to replace a large portion of the flooring in the dispatch computer area in the amount of \$2,662 from Computer Support Technologies, the only local vendor able to perform the replacement as specified. This company can supply the exact replacement tiles without making it necessary to replace the base flooring structure at an increased cost.

RESOLVED by Downey, supported by Walsh, that the Village of Beverly Hills Council approve the purchase of replacement flooring tile for the public safety dispatch area from Computer Support Technologies in the amount of \$2,662 with funds available in Account #101-345-934 Public Safety: Building and Grounds.

Comments and questions from Council members about the flooring purchase and the quote received were addressed by Director Woodard.

Roll Call Vote:
Pfeifer - yes
Stearn - no
Walsh - yes
Craig - yes
Downey - yes
Kennedy - yes
Munguia - yes
Resolution passes (6 - 1).

APPROVE CONTRACT FOR STORM WATER SERVICES WITH OAKLAND COUNTY DRAIN COMMISSIONER

Before Council for consideration is an Inter-Local Agreement between the Village of Beverly Hills and the Oakland County Drain Commissioner. This Agreement will allow the Drain Commissioner to provide investigative services for illicit connections to the storm sewer systems and provide 50% grant funding through Wayne County and the Rouge River Wet Weather Demonstration Project for the Storm Water General Permit. The total amount the Village is responsible for is \$11,369.00. This

expense will be charged to the "Rouge River Maintenance Fund" account number 401.905.938, which has a current balance of approximately \$15,000.

RESOLVED by Walsh, supported by Kennedy.

Whereas, the County of Wayne through the Rouge River National Wet Weather Demonstration Project has offered technical assistance and federal grants to local government entities for addressing and improving the water quality and recreational use of the Rouge River; and,

Whereas, implementation of the National Pollutant Discharge Elimination System ("NPDES") General Wastewater Discharge Permit for Storm Water Discharges from Separate Storm Water Drainage Systems (Permit No. MIG610000) ("Storm Water General Permit") issued by the State of Michigan will further goals to improve water quality and recreational use of the Rouge River; and,

Whereas, illicit discharge elimination, public education and sub-watershed management planning are considered examples of the types of activities required by the Storm Water General Permit which will assist in restoring the water quality of the Rouge River; and,

Whereas, the Oakland County Drain Commissioner is actively participating in the implementation of the NPDES General Wastewater Discharge Permit for Storm Water Discharges from Separate Storm Water Drainage Systems issued by the State of Michigan for the County of Oakland; and,

Whereas, the Drain Commissioner has applied for and was awarded federal grant funding not exceeding \$408,000 from the County of Wayne via United States Environmental Protection Agency (USEPA) to assist local municipalities in their implementation of illicit discharge elimination, public education and sub-watershed planning for restoring water quality of the Rouge River and its tributaries within Oakland County; and,

Whereas, said grant, among other things requires a 50% match in funds from local municipalities; and,

Whereas, the Drain Commissioner is prepared to provide illicit discharge elimination services on a labor, material and equipment costs basis in accordance with the attached inter-local agreement to local municipalities located within the Rouge watershed in an effort to assist local communities in their efforts to satisfy the conditions of the Storm Water General Permit; and,

Whereas, the Village of Beverly Hills ("Municipality") acknowledges that, absent an agreement such as this, the County has no obligation to provide these services or to apply for grant funding to or for the Municipality; and,

Whereas, the attached inter-local agreement has been reviewed by legal counsel for the Village of Beverly Hills.

Therefore, be it resolved as follows:

That the Village of Beverly Hills Council hereby authorizes the Public Services Director to execute the attached contract with the County of Oakland by and through its Drain Commissioner.

Roll Call Vote:

Resolution passes unanimously.

The Oakland County Drain Commissioner's Contract for Storm Water Management Services with the Village of Beverly Hills is available for review at the Village offices.

APPROVE AGREEMENT WITH THE CITY OF SOUTHFIELD FOR 13 MILE ROAD MAINTENANCE

Council is being asked to consider approval of a standard agreement between the Village of Beverly Hills and the City of Southfield to participate in the cost of 13 Mile Road asphalt patch repairs from Southfield Road to Greenfield Road. The Village's portion of this project starts one-quarter mile east of Southfield Road going three-quarters of a mile to Greenfield Road. The project consists of repairing badly deteriorated joints to control the deterioration and maintain the integrity of the pavement for an additional three to five years. The City of Southfield and the Village of Beverly Hills are co-applicants for federal grant money to reconstruct 13 Mile Road.

This project will take approximately two weeks to complete and the repairs will be done without closing the road to traffic. The total estimated cost to the Village for the project is \$39,097. Council budgeted \$40,000 for this project in the 2000/01 budget.

RESOLVED by Walsh, supported by Downey, that the Village of Beverly Hills Council approve the Asphalt Patch Road Repair Improvement Agreement for Thirteen Mile Road, Southfield to Greenfield, between the City of Southfield and the Village of Beverly Hills.

In response to a comment from Council, Spallasso clarified that the City of Southfield is entirely responsible for the portion of 13 Mile Road on Southfield Township property. Southfield will cap that portion of road rather than patching.

Spallasso stated that efforts will be made to minimize the traffic disruption by scheduling the project in the middle of June, which is when the City of Royal Oak will reopen one lane of traffic each way on 14 Mile Road. The work will precede the construction on Southfield Road scheduled to start in early July.

Roll Call Vote:

Resolution passes unanimously.

The Agreement is on file for public review at the Village office.

APPROVE PURCHASE OF TWO DUAL RADAR UNITS FOR THE DEPARTMENT OF PUBLIC SAFETY

The Public Safety Department is requesting authorization to purchase two dual-antenna radar units for patrol car use that would replace two single-antenna units that are currently in active service. The 1999/2000 budget has funds approved for this purchase. The radar units are available from the State of Michigan competitive bid package at a cost of \$1,013 each.

RESOLVED by Downey, supported by Walsh, that the Village of Beverly Hills Council approve the purchase of two Decatur Electronics Genesis IK dual antenna radar units for a total price of \$2,026 with funds available in Account #101-900-980 Capital Purchases: Public Safety Equipment.

Questions from Council on the proposed and existing radar equipment were answered by Director Woodard. He explained that the existing units are not as quick to respond. The Department is attempting to upgrade to a dual antenna system. It is logistically more effective for the officer to watch two different directions.

There was concern expressed by Council members about replacing radar units that are operational.

Downey expressed support of this purchase on the basis that it will further enhance our public safety department.

Roll Call Vote:

Craig - no
Downey - yes
Kennedy - no
Munguia - yes
Pfeifer - no
Stearn - no
Walsh - yes

Resolution fails (4 - 3).

APPROVAL OF BILLS

MOTION by Pfeifer, supported by Kennedy, that the bills from a period of 5/01/00 through 5/15/00 be approved for payment in the following amounts:

\$402,089.54	General Fund
6,808.76	Major Road Fund
11,151.03	Local Road Fund
60,789.51	Capital Projects Fund
158,569.57	Water/Sewer Operation Fund
<u>7,001.90</u>	Trust & Agency Fund

\$646,410.31 Total

Questions from Council and the audience were addressed by administration.

Motion passes unanimously.

LIAISON'S REPORT

Pfeifer stated that the May 16 Finance Committee meeting has been canceled. The Cablecasting Board will meet on Wednesday, May 17 at 7:45 a.m. at the Baldwin Public Library.

Stearn stated that the Parks and Recreation Board will meet on Thursday, May 18 at 7:30 p.m. in the park. The first concert in the park will be held on Sunday, May 21 at 4:00 p.m. with a performance by the Spirit of America Band. The Memorial Day Parade and Carnival is coming up on May 29 starting at 11:30 a.m.

Kennedy remarked that the Retirement Board will meet at 7:30 p.m. on May 17 this week. The Personnel Committee of Council is scheduled to meet at 7:00 p.m. on Tuesday, May 23.

Kennedy mentioned that she had the honor of attending the 32nd Annual Youth in Service Recognition Awards Dinner at the Birmingham Community House. It was an extremely inspiring evening where 43 students from the Birmingham middle schools and high schools were honored for their contributions to the community.

Walsh commented that the Infrastructure Committee set a tentative meeting date for June. Spallasso mentioned that he is expecting a preliminary engineering report on the Acacia Interceptor route soon and suggested a meeting be scheduled following the receipt of that report.

Munguia reported that a Zoning Board of Appeals meeting was held on Monday, May 8. One of the cases involved a decorative fence and gate for one of the oldest structures in the Village. It was questioned at the meeting whether Council was considering an historic district in the Village.

MANAGER'S REPORT

Hanlin related that trash pick up problems have been reported this week. Great Lakes is having staffing problems again; the company lost 10 employees in one week. They are also having a problem getting to the SOCRRA facility with 14 Mile Road closed. The Village office is in constant contact with the trash contractor. Hanlin asked residents to be patient but to call the Village office to log their complaints.

Hanlin related that I. Jack Fahlen, Township Trustee, informed her that the Township is continuing to work on engaging a new animal control service. The current contractor, Dean's Wild Animal Control, Inc., is going out of business at the end of May. The Township is seeking proposals and will keep the Village informed on the situation.

Pasioka stated that park clean up was a successful event. There were approximately 150 people in attendance, with much representation from the scouts. Pack 1029 and 1024 did productive work in

the nursery area weeding and planting seedlings. Pasioka remarked that Beverly Park is looking good.

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court commented on the traffic situation during this heavy construction season. Motorists are finding alternate routes. There is a problem with cut through traffic speeding on Normandale and Vernon. Tischler requested that public safety patrol that area during peak hours.

COUNCIL COMMENTS

Munguia stated that the Lions Club will hold the annual Fun Run and Walk starting at 8:30 am on the morning of the Memorial Day Parade and Carnival on May 29. He announced that the Greenfield-Beverly Homeowners Association will be holding its annual spring meeting and ice cream social on June 6 at 7:30 p.m. at the green space in the intersection of Amherst, Fairfax and Glencoe. All Village residents are invited to attend this event.

Downey questioned the progress of the Village web page and expressed an interest in improving the e-infrastructure aspect of the Village operation. Downey thinks that it would be beneficial for the Council to receive written quarterly reports on the progress of infrastructure and public works projects. Spallasso responded that this report is forthcoming.

Downey questioned the thinking of Council members who voted against the dual antenna radar units for the Public Safety Department. Council voted to replace flooring in the dispatch area of the public safety building but turned down radar units that would increase safety on the roads. He understands Council's concern with expenditures but suggests eliminating items that do not affect safety.

Walsh reviewed that Council approved a site plan and special use approval in April of 1999 for renovation of the Buckles & Buckles law office on 14 Mile Road. He noted that a site plan expires after one year if work has not commenced.

Spallasso stated that he and building official Byrwa have talked to Mr. Buckles about his plans. Buckles understands that 14 Mile Road is scheduled to be improved, and he does not want to do work in the right-of-way prior to that project. Craig stated that Mr. Buckles can request an extension on the site plan from Council.

Pfeifer thanked the residents who participated in the park clean up. Pfeifer commented on a facility called Selma's Home in Detroit, an emergency shelter for fragile children who have HIV, AIDS, or drug addiction. Plans were set to open this home last week but there was a questionable fire. Pfeifer stated that there will be an AIDS Walk 2000 on Saturday, May 20 to benefit this cause.

Pfeifer reminded Council of the joint Planning Board and Council meeting scheduled for Thursday, June 1 at 7:00 p.m.

Pfeifer stated that there is one item having to do with the 2000/01 Water and Sewer budget that she would like to revisit. She thinks that legitimate complaints were expressed by resident Jim McCook

at the recent budget public hearing. Pfeifer asked that this be an agenda item for an upcoming meeting.

Stearn stated that there was some concern about the wording of the petition during discussion of a topographical survey for Stafford Road. He thinks consideration should be given to having a standard petition that everyone uses.

Stearn commented that he thinks that the Public Safety Department does a great job. He observed that the most recent quarterly revenue and expenditure report indicates that the Public Safety Department has exceeded the budget in its overtime account and in the education and training line item. Stearn stated that Woodard indicated this evening that there are six operating radar detectors in the Department with four of them being dual antenna units. There are four cars on the road at a given time. Stearn does not think there is a need to replace two existing units with dual radar units at this time. He takes offense at another Council member challenging his decisions.

Kennedy commented that she would like to bring an agenda item before Council relative to information she recently received regarding investments for municipalities. Kennedy asked fellow council members to have a sense of respect for one another and not overstep their bounds. She suggested that each council member take care of their own responsibilities and their own thinking.

Craig stated that Council will consider reappointments to Village boards and committees by the end of June. A list of members whose terms are expiring was distributed to Council. Craig asked Council to review this memo in preparation for discussion at an upcoming Council meeting.

Craig informed Council that he anticipates conducting a goal setting session of Council with all members in attendance.

MOTION by Downey, supported by Walsh, that the meeting be adjourned at 11:19 p.m.
Motion passes unanimously.

Andrew Craig
Council President

Ellen E. Marshall
Village Clerk